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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

KABINS FAMILY, LLC., etc., <i>et al.</i> ,	)	
	)	
Plaintiff,	)	2:09-cv-1125-GMN-RJJ
	)	
vs.	)	
	)	
CHAIN CONSORTIUM, etc.,	)	<u>ORDER</u>
	)	
Defendant,	)	
_____	)	

This matter is before the Court on Defendants' Counter Motion to Strike All References to the Deposition of Jeffrey Benton Chain and All Related Arguments Contained in the Motion For Sanctions Against Albert D. Massi, Esq. (#481).

The Court has reviewed the Motion (#481) and the Response (#484). Defendants seek an order striking all references to the Chain deposition which was taken in an unrelated bankruptcy case. There is no basis for the court to allow references to the Chain deposition in this case. If the Plaintiffs want to submit an applicable affidavit by Jeffrey Chain or take his deposition in this case with appropriate notice and opportunity to participate for all other parties in this case ,Plaintiffs may proceed. Fed R. Civ. P. 32(a)(1) provides no basis for the use of the deposition taken in an unrelated matter in this case. Good cause appearing therefore ,

IT IS HEREBY ORDERED that Defendants' Counter Motion to Strike All References to

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....  
....

1 the Deposition of Jeffrey Benton Chain and All Related Arguments Contained in the Motion For  
2 Sanctions Against Albert D. Massi, Esq. (#481) is **GRANTED**.

3 DATED this 24th day of September, 2012.

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6 ROBERT J. JOHNSTON  
United States Magistrate Judge